



Attorney Docket No.: 103327-42984

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Suresh Kumar GIDWANI et all Art Unit: 1614  
Serial No.: 09/857,077 Examiner: To be assigned  
Filing Date: April 2, 2002  
For: SUSTAINED RELEASE PHARMACEUTICAL COMPOSITIONS  
CONTAINING METFORMIN AND METHOD OF ITS PRODUCTION

BOX DD - NO FEE  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In compliance with the duty to disclose, Applicant submits herewith Form PTO-1449 together with a copy of the cited reference which became known to applicants.

Consideration of this Information Disclosure Statement is respectfully requested, since the information provided herein may be material to the patentability of the subject application as defined in 37 C.F.R. §1.56. The submission of reference with this Information Disclosure Statement should not be construed by the Examiner that a comprehensive search through the prior art was conducted; it is requested that the Examiner make such a comprehensive search.

The applicants request that the reference cited on the accompanying Form PTO-1449 be made of record because, as checked off below, the following applies:

  X   either (a) this submission precedes issuance of a first Office Action on the merits or (b) a Certification of Timely Filing Under 37 CFR 1.97(e) accompanies this submission and neither a final Office Action nor a Notice of Allowance has issued. No fee is due.

       neither a final Office Action nor a Notice of Allowance has issued and no Certification of Timely Filing Under 37 CFR 1.97(e) accompanies this submission. A late submission fee under 37 CFR 1.97(c) is due.

       either a final Office Action or a Notice of Allowance has issued. Petition is made for consideration of the accompanying references. A petition fee is due together with a Certification of Timely Filing Under 37 CFR 1.97(e).

No fee is due in connection with this submission. However, if a fee is deemed to be due, the Commissioner is authorized to charge our Deposit Account No. 03-3839.

If submission of the accompanying reference is deemed untimely to be made of record for this application, however, it is requested that they be placed in the file and that the applicant be so informed.

Dated: January 29, 2003

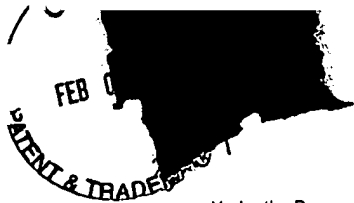
Respectfully submitted,



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1614

PTO/SB/21 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/857,077	
	Filing Date	April 2, 2002	
	First Named Inventor	Suresh Kumar GIDWANI	
	Art Unit	1614	
	Examiner Name	To be assigned	
Total Number of Pages in This Submission	21	Attorney Docket Number	103327-42984

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ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	1. Form PTO-1449 with cited reference	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	2. Return Receipt Postcard	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Robert J. Hess (Reg. 32,139) Gibbons, Del Deo, Dolan, Griffinger & Vecchione
Signature	
Date	January 29, 2003

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 29 JAN 2003	
Typed or printed	Edward F. Brown
Signature	
Date	29 JAN 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.